

Model Plan
Rev. 3-1-02

Trustee: ☐ Marshall ☐ Meyer
☐ Stearns ☒ Vaughn

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS

FILED
UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
MAR 03 2004

In re:

RAYMOND J. BAKER,

Debtors.

) Case No. 04 B 02152

) ☐ Original Chapter 13 Plan

) ☒ Modified Chapter 13 Plan, dated

KENNETH S. GARDNER, CLERK
PS REP. - FR

☒ A check in this box indicates that the plan contains special provisions, set out in Section G. Otherwise, the plan includes no provisions deviating from the model plan adopted by the court at the time of the filing of this case.

**A.
Budget
items**

1. As stated in the debtor's Schedule I, (a) the number of persons in the debtor's household is 2; (b) their ages are 2 ADULTS; and (c) total household monthly income is \$ 2,187.

2. As stated in the debtor's Schedule J, total monthly household expenses are \$ 1,025, leaving monthly disposable income of \$ 1,162.

3. The debtor's Schedule J includes \$ 0 for charitable contributions; the debtor represents that the debtor made substantially similar contributions for 0 months prior to filing this case.

**B.
General
provi-
sions**

1. The debtor assumes all unexpired leases and executory contracts identified in the debtor's Schedule G.

2. The rights of holders of claims secured by a mortgage on real property of the debtor, proposed to be cured in Paragraph 4 of Section I: of this plan, shall be modified only to the extent that curing the default as specified in that paragraph, while making all required postpetition payments, shall result in reinstatement of the mortgage according to its original terms, with no default in scheduled payments.

3. The holder of any claim secured by property of the estate, other than a mortgage treated in Section C or in Paragraph 3 of Section E, shall retain the lien

☐ until receipt of all payments provided for by this plan on account of the claim, including payments on account of any unsecured portion of the claim, *lor/*

☒ until receipt of all payments provided for by this plan on account of the portion of the claim that is a secured claim under 11 U.S.C. § 506(a), at which time the lien shall terminate and be released by the creditor.

4. Within 14 days of a request by the trustee, the debtor shall provide (a) copies of any tax returns filed during the pendency of this case, and (b) a copy of the debtor's current wage statement.

5. The debtor shall retain records, including all receipts, of all charitable donations listed in the debtor's Schedule J.

**C.
Direct
payment
of claims
by debtor**

☒ The debtor will make no direct payments to creditors holding prepetition claims. *lor/*

☐ The debtor will make current monthly payments, as listed in the debtor's Schedule J -- increased or decreased as necessary to reflect changes in variable interest rates, escrow requirements, collection costs, or similar matters-- directly to the following creditors holding claims secured by a mortgage on the debtor's real property:

Creditor: _____, monthly payment, \$ _____;
Creditor: _____, monthly payment, \$ _____.

If this box is ☐ checked, additional direct mortgage payments are listed on the overflow page.

**D.
Payments
by debtor
to the
trustee**

1. Initial plan term. The debtor will pay to the trustee \$ 1,162 monthly for 58 months [and \$ 1,175 monthly for an additional 1 months], for total payments, during the initial plan term, of \$ 68,571. [Enter this amount on Line 1 of Section H.]

2. Adjustments to initial term. (a) If the amount paid by the debtor to the trustee during the initial plan term does not permit payment of general unsecured claims as specified in Paragraphs 8 and 9 of Section E, then the debtor shall make additional monthly payments, during the maximum plan term allowed by law, sufficient to permit the specified payments. (b) The plan will conclude, prior to the end of the initial term, at such time as all allowed claims are paid in full, with any interest required by the plan.

**E.
Disburse-
ments by
the
trustee**

The trustee shall disburse payments received from the debtor under this plan as follows:

1. Trustee's fees. Payable monthly, as authorized; estimated at 5.00 % of plan payments; and during the initial plan term, totalling \$ 3,429. [Enter this amount on Line 2a of Section H.]

2. Priority claims of debtor's attorney. Payable in allowed amounts, in monthly installments not to exceed \$ 0, and estimated to total \$ 0. [Enter this amount on Line 2b of Section H.]

3. Current mortgage payments. Payable according to the terms of the mortgage, as set forth below, commencing with the first payment due after the filing of the case. Each of these payments shall be increased or decreased by the trustee as necessary to reflect changes in variable interest rates, escrow requirements, collection costs, or similar matters; the trustee shall make the change in payments as soon as practicable after receipt of a notice of the change issued by the mortgage holder, but no later than 14 days after such receipt. The trustee shall notify the debtor of any such change at least 7 days before putting the change into effect.

- (a) To creditor CHASE MANHATTAN, monthly payments of \$ 681.00.
These payments, over the term of the plan, are estimated to total \$ 40,179.
(b) To creditor n/a, monthly payments of \$ 0.00.
These payments, over the term of the plan, are estimated to total \$ 0.

If this box ☐ is checked, additional current mortgage payments are listed on the overflow page. The total of all current mortgage payments to be made by the trustee under the plan is estimated to be \$ 40,179. [Enter this amount on Line 2c of Section H.]

4. Mortgage arrearage. Payable as set forth below, regardless of contrary proofs of claim, except that the arrearage payable may be reduced either with the consent of the creditor or by court order, entered on motion of the debtor with notice to the trustee and the creditor. Any such reduction shall be effective 14 days after either the trustee's receipt of a notice of reduction consented to by the creditor or the entry of a court order reducing the amount of the arrearage.

- (a) To creditor CHASE MANHATTAN, arrearage of \$ 14,400.00, payable monthly
☒ pro rata with payments on secured claims /or/ ☐ in fixed installments of \$ _____;
and payable ☒ without interest /or/ ☐ with interest at an annual percentage rate of 0.00 %.
These arrearage payments, over the term of the plan, are estimated to total \$ 14,400.

- (b) To creditor _____, arrearage of \$ _____, payable monthly
☐ pro rata with payments on secured claims /or/ ☐ in fixed installments of \$ 0;
and payable ☒ without interest /or/ ☐ with interest at an annual percentage rate of 0.00 %.
These arrearage payments, over the term of the plan, are estimated to total \$ _____.

If this box ☐ is checked, additional direct arrearage payments are listed on the overflow page. The total of all mortgage arrearage payments to be made by the trustee under the plan is estimated to be \$ 14,400. [Enter this amount on Line 2d of Section H.]

5. Other secured claims. All secured claims, other than mortgage claims treated above, are to be paid in full during the plan term, with interest at an annual percentage rate of _____%, in the amounts stated (subject to reduction either with the consent of the creditor or by court order, implemented as for reductions of mortgage arrearages), regardless of contrary proofs of claim, in monthly installments, pro rata, but with fixed monthly payments if so specified (by a check mark and payment amount):

- (a) Creditor: COOK COUNTY COLLECTOR Collateral: RE TAXES
Amount of secured claim: \$ 1,480 ☐ Fixed monthly payment: \$ _____;
Total estimated payments, including interest, on the claim: \$ 1,480.
- (b) Creditor: WFS FINANCIAL Collateral: 1999 DODGE CARAVAN
Amount of secured claim: \$ 7,160 ☐ Fixed monthly payment: \$ 0.00;
Total estimated payments, including interest, on the claim: \$ 8,228.

If this box ☐ is checked, additional secured claims are listed on the overflow page. [All claims in the debtor's Schedule D, other than mortgages treated above, must be listed in this paragraph.]

The total of all payments on these secured claims, including interest, is estimated to be \$ 9,708.
[Enter this amount on Line 2e of Section H.]

6. Allowed priority claims other than those of the debtor's attorney. Payable in full, without interest, on a pro rata basis. The total of all payments on non-attorney priority claims to be made by the trustee under the plan is estimated to be \$ _____. [Enter this amount on Line 2f of Section H.]

7. Specially classified unsecured claim. A special class consisting of the following non-priority unsecured claim: n/a shall be paid at 0 % of the allowed amount. The total of all payments to this special class is estimated to be \$ 0.
[Enter this amount on Line 2g of Section H.]

Reason for the special class: n/a

8. General unsecured claims (GUCs). All allowed nonpriority unsecured claims, not specially classified, including unsecured deficiency claims under 11 U.S.C. § 506(a), shall be paid, pro rata, ☐ in full, /or/ ☒ to the extent possible from the payments set out in Section D, but not less than 10 % of their allowed amount. [Enter minimum payment percentage on Line 4b of Section H.]

9. Interest. Interest ☒ shall not be paid on unsecured claims /or/ interest ☐ shall be paid on unsecured claims, including priority and specially classified claims, at an annual percentage rate of 0.00 % [Complete Line 4d of Section H to reflect interest payable.]

**F.
Priority**

The trustee shall pay the amounts specified in Section E of this Plan in the following order of priority: (1) trustee's authorized percentage fee; (2) priority claims of the debtor's attorney, in the amounts allowed by court order; (3) secured claims paid in fixed monthly installments (pro rata in the event of an insufficiency); (4) secured claims not paid in fixed installments; (5) priority claims other than those of the debtor's attorney; (6) specially classified nonpriority unsecured claims; and (7) general unsecured claims.

**G.
Special
provi-
sions**

Notwithstanding anything to the contrary set forth above, this Plan shall include the provisions set forth in the box below and, if stated therein, on a separate page. **The provisions will not be effective unless there is a check in the notice box preceding Section A.**

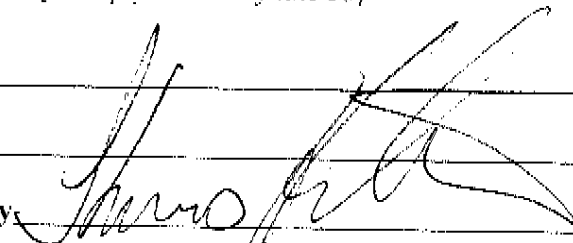
WFS IS TO RECEIVE 11 % INTEREST FOR THE SECURED PORTION OF THEIR CLAIM FOR 1999 DODGE CARAVAN

If this box ☐ is checked, additional special provisions are listed on the overflow page.

**H.
Summary
of pay-
ments to
and from
the trustee**

- (1) Total payments from the debtor to the Chapter 13 trustee (subject to Paragraph 2 of Section D) \$ 68,571
- (2) Estimated disbursements by the trustee for non-GUC's (general unsecured claims):
- (a) Trustee's fees \$ 3,429
 - (b) Priority payments to debtor's attorney \$ 0
 - (c) Current mortgage payments \$ 40,179
 - (d) Payments of mortgage arrears \$ 14,400
 - (e) Payments of other allowed secured claims \$ 9,708
 - (f) Payments of non-attorney priority claims \$ 0
 - (g) Payments of specially classified unsecured claims \$ 0
 - (h) Total *[add Lines 2a through 2g]* \$ 67,716
- (3) Estimated payments available for GUC's and interest during initial plan term *[subtract Line 2h from Line 1]* \$ 855
- (4) Estimated payments required after initial plan term:
- (a) Estimated total GUC's, including unsecured deficiency claims under § 506(a) \$ 8,338
 - (b) Minimum GUC payment percentage 10 %
 - (c) Estimated minimum GUC payment *[multiply line 4a by line 4b]* \$ 834
 - (d) Estimated interest payments on unsecured claims \$ 0
 - (e) Total of GUC and interest payments *[add Lines 4c and 4d]* \$ 834
 - (f) Payments available during initial term *[enter Line 3]* \$ 855
 - (g) Additional payments required *[subtract Line 4f from Line 4e]* \$ -22
- (5) Additional payments available:
- (a) Debtor's monthly payment less trustee's fees and current mortgage payments made by the trustee \$ 435
 - (b) Months in maximum plan term after initial term 1
 - (c) Payments available *[multiply line 5a by line 5b]* \$ 435

Signatures:

Debtor _____
 Debtor _____
 Debtor's Attorney:  _____

Date _____
 Date _____
 Date _____

**Attorney
information
(name, address,
telephone, etc.)**

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